

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

FILED

JUL 06 2022

AK

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Chet Smith

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

vs.

Case No: 22-CV-1678
(To be supplied by the Clerk of this Court)

Cook County IL

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

AMENDED COMPLAINT

- ☒ COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983
U.S. Code (state, county, or municipal defendants)
- ☐ COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE
28 SECTION 1331 U.S. Code (federal defendants)
- ☐ OTHER (cite statute, if known)

**BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR
FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.**

I. Plaintiff(s):

- A. Name: Chet Smith
- B. List all aliases: _____
- C. Prisoner identification number: 20180909024
- D. Place of present confinement: C.C.J.
- E. Address: 2700 S California

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: Cook County ILL
- Title: _____
- Place of Employment: _____
- B. Defendant: Clerk J.unknow
- Title: Clerk
- Place of Employment: Cook County IL
- C. Defendant: _____
- Title: _____
- Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: 1:19-CV-06816 J. Ellis
19 CV 03373 J. Lee
- B. Approximate date of filing lawsuit: 06816 OCT 19 yr 03373 May 19 yr
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: Chet Smith

- D. List all defendants: City of Chicago Cook County ILL
06816 03373

- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): Federal Court
- F. Name of judge to whom case was assigned: _____

- G. Basic claim made: 4th amendmet J. Ellis
14 amendmet J. Lee
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): both pending

- I. Approximate date of disposition: Feb 10 2020 June 2019
cv 06816 cv 03373

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

[If you need additional space for ANY section, please attach an additional sheet and reference that section.]

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. **Do not give any legal arguments or cite any cases or statutes.** If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

All individuals Defendants committed the acts or omissions alleged under color of Law and in the scope of their employment as employees of Cook County. In ILL., public entities are directed to pay for any tort judgment for compensator damages for which it or employess acting within the scope of their employment are liable. 745 ILCS 10/9-102.

A.S.A. Jenkins reviewed paperwork & video 9-8-18 of plaintiff Criminal case and was aware, not only was an affidavitt for arrest warrant wasn't presented ^{and} accompanied with fraudulent arrest-warrant also there was no ERI of Photo ^{array} which Det. Razo claim existed. ILL. Suprem Rule 3.8 (a) States a prosecutor shall refrain from prosecuting a charge that the prosecutor knows is not supported by probable cause. A valid arrest warrant is consider probable cause, however this warrant isn't legit there's ^{no} ~~not~~ transcripts of hearings 9-7-18, nor affidavit for arrest warrant or Photo array ERI.

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Although this case lack probable cause A.S.A. Jenkins approved this Charge.

The highest Court of the land the United States Suprem Court decided that an indictment Not Signed by members of the grand Jury ^{not} _vdefected but a due process violation. The foreman of the grand Jury ~~was~~ may agree to return an indictment by signing however this does not mean all Jurors was in agreement with the foreman therefore all members that agree to indict the defendant is required to also sign indictment along with the foreman, its not nessary for ~~the~~ some other issue ~~to~~ be in conjunction with indictment for it to be dismissed. In Tyrone Gaither V U.S. 413 2d1061 the Suprem Court dismissed indictment with prejudice for the sole reason of not being signed by members of the grand Jury. This is the same issue in the plaintiff Case this is not a defected indictment it is a civil right violation and warrant redress.

Although its not required for an indictment to have an issue beside not being signed by members of the grand Jury to be dismiss with prejudice.

(6)

The indictment in the plaintiff case not only lack ~~Signatures~~ Signatures of the grand Jury members it was procured with perjured testimony from Det. Razo 20234. Det. Razo fabricated police report which plaintiff has and proof that it's untrue & misleading. This same information was given at the Grand Jury hearing, Det. Razo had no personal knowledge of alleged incident. A police officer or peace officer is ~~a~~ for the State and cannot serve as witness for the State while simultaneously serving as the complainant. A witness is not a complainant. A witness, such as the citing & arresting officer, cannot as a matter of law instigate or initiate prosecution against a suspected person. Only the complainant can instigate or initiate prosecution. Furthermore Det. Razo is not credible, he was ^{the} only person at Grand Jury hearing.

These State's Atty returned indictments are not defected but a due process violation, this is an off the book policy of Cook County State Atty, this custom is deliberate indifference to defendant Civil Rights. All of the detainee's Indictment I personally reviewed lacked Signatures of Grand Jury members these detainees names are Omar Ramirez 20200227225, Brandon Johnson 20200219185, Richard Downs 20190915015, Gregory Huggins 20190610093, Marquis Watkins 20181003198, Brian Mayrose 20180930083, Demetrius Washington 20180926127, Christopher Wright-EI 20180213205, Christopher Smith 20160930189, Courtney Stevens 20200108111, Jose Pastrana 20180901044, Eric Collier 20190109028, Donald Simpson 20200113117

⑦

Kenneth Edwards 20201021051, Luis Vasquez 20180629225, Andrew Coffill 20180516199, Christopher Emmons 20180703256 Ronald Saxon 20190302127, Daniel Gara 20171109187, Louis Lashley 20190405073, and Christian Liggins 20180808207.

Indictments are public records if this honorable court would allow the plaintiff access to all indictments for the last 5yrs im sure that majority of the indictments in Cook County, is State's Atty return indictments these statistics would prove a policy, practice, and custom to deprive citizens of there civil rights. Once again Plaintiff indictment was obtained 1st with Det. Razo perjured testimony & 2nd with ^{out} signatures of ~~members of the~~ grand jury members.

The Plaintiff allege that State's Atty in Criminal case is guilty of 4th amendment Brady violation. The State's Atty has withheld Cell-phone data that is exculpatory evidence and reports filed under Event number 10270 & G.I.D. File number 193-18-573, Plaintiff never allege this was done because of improper training only that its a clear violation of Plaintiff Constitutional Rights under the U.S. Constitution.

The State Atty initiated and Continued a Criminal proceeding against the Plaintiff, absence of Probable Cause. Cook County IL is liable for it's employees misconduct. Webster Dictionary defines defected as faulty the State's Atty have returned these indictments for years this is either from improper train^{ing} or reckless disregard of defendant Civil Rights or both.

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V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Compensatory & punitive damage

VI. The plaintiff demands that the case be tried by a jury. ☒ YES ☐ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 28 day of June, 2022

Chet Smith

(Signature of plaintiff or plaintiffs)

Chet Smith

(Print name)

20180909024

(I.D. Number)

2700 S Californi

Chicago IL 60608

(Address)

Chet Smith 20180909024
2700 S California
Chicago IL 60608

RECEIVED
JUL 06 2022
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Legal
Mail



U.S Clerk
219 S Dearborn
Chicago IL 60604

